IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.78572-M of 2006

DATE OF DECISION:12.02.2007

Bhim Singh & Anr. .....Petitioners

Versus

Mindi Singh Mayo .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Hitesh Kaplish, Advocate
for the petitioners.

None for the respondent.

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The Petitioners apprehending their arrest in a non-bailable offence in complaint case No. 11/4.2.2005 under Sections 420/406/467/468/471/120-B IPC titled “Mini Singh Mayo Vs. Bhim Singh and another” (Annexure P-4) have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that in the aforesaid case the petitioners were on regular bail, but on 24.5.2006, they could not appear before the trial Court, therefore, their bail bonds were cancelled and non-bailable warrants have been issued. Counsel further contends that the absence of the petitioner on 24.5.2006 was neither intentional nor wilful because they wrongly noted the date as 24.9.2006.

Counsel for the petitioners further contends that in view of the order dated 18.12.2006, the petitioners have appeared before the trial Court on 2.1.2007 and furnished their fresh bail bonds, which have been accepted and attested and since then they are regularly appearing. Counsel for the

petitioners has placed on record a copy of the order dated 2.1.2007 passed by Sub Divisional Judicial Magistrate, Phagwara in this regard.

In view of the above, the interim bail, granted vide order dated 18.12.2006 is made absolute.

Disposed of accordingly.

February 12, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**